

by the Administrator or duly authorized officials of the General Services Administration. Any such special policeman may make arrests without warrant for any offense committed upon such property if he has reasonable ground to believe (1) the offense constitutes a felony under the laws of the United States, and (2) that the person to be arrested is guilty of that offense.

(June 1, 1948, ch. 359, §5, as added Pub. L. 87-275, Sept. 22, 1961, 75 Stat. 574.)

**§ 319. Grant of easements; authority of executive agencies; application; protection of Federal interests; consideration; legislative jurisdiction; notice of relinquishment, acceptance and State proceedings**

Whenever a State or political subdivision or agency thereof or any person makes application for the grant of an easement in, over, or upon real property of the United States for a right-of-way or other purpose, the executive agency having control of such real property may grant to the applicant, on behalf of the United States, such easement as the head of such agency determines will not be adverse to the interests of the United States, subject to such reservations, exceptions, limitations, benefits, burdens, terms, or conditions, including those provided in section 319a of this title, as the head of the agency deems necessary to protect the interests of the United States. Such grant may be made without consideration, or with monetary or other consideration, including any interest in real property. In connection with the grant of such an easement, the executive agency concerned may relinquish to the State in which the affected real property is located such legislative jurisdiction as the executive agency deems necessary or desirable. Relinquishment of legislative jurisdiction under the authority of sections 319 to 319c of this title may be accomplished by filing with the Governor of the State concerned a notice of relinquishment to take effect upon acceptance thereof or by proceeding in such manner as the laws applicable to such State may provide.

(Pub. L. 87-852, §1, Oct. 23, 1962, 76 Stat. 1129.)

**REPEALS**

*Section repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, upon, under, and through the public lands and lands in the National Forest System.*

**SAVINGS PROVISION**

Repeal by Pub. L. 94-579 insofar as applicable to the issuance of rights-of-way not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of Title 43, Public Lands.

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 319b, 319c of this title.

**§ 319a. Termination of easements; notice to grantees, successors or assignees; effective date**

The instrument granting any such easement may provide for termination of the easement in whole or in part if there has been—

(a) a failure to comply with any term or condition of the grant, or

(b) a nonuse of the easement for a consecutive two-year period for the purpose for which granted, or

(c) an abandonment of the easement.

If such a provision is included, it shall require that written notice of such termination shall be given to the grantee, or its successors or assigns. The termination shall be effective as of the date of such notice.

(Pub. L. 87-852, §2, Oct. 23, 1962, 76 Stat. 1129.)

**REPEALS**

*Section repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, upon, under, and through the public lands and lands in the National Forest System.*

**SAVINGS PROVISION**

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**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 319, 319b, 319c of this title.

**§ 319b. Additional easement authority**

The authority conferred by sections 319 to 319c of this title shall be in addition to, and shall not affect or be subject to, any other law under which an executive agency may grant easements.

(Pub. L. 87-852, §3, Oct. 23, 1962, 76 Stat. 1129.)

**REPEALS**

*Section repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, upon, under, and through the public lands and lands in the National Forest System.*

**SAVINGS PROVISION**

Repeal by Pub. L. 94-579 insofar as applicable to the issuance of rights-of-way not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of Title 43, Public Lands.

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 319, 319c of this title.

**§ 319c. Definitions for easement provisions**

As used in sections 319 to 319c of this title—

(a) The term “State” means the States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

(b) The term “executive agency” means any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation.

(c) The term “person” includes any corporation, partnership, firm, association, trust, estate, or other entity.

(d) The term “real property of the United States” excludes the public lands (including minerals, vegetative, and other resources) in the United States, including lands reserved or dedicated for national forest purposes, lands administered or supervised by the Secretary of the Interior in accordance with sections 1, 2, 3, and 4 of title 16, as amended and supplemented, Indian-owned trust and restricted lands, and lands acquired by the United States primarily for fish and wildlife conservation purposes and administered by the Secretary of the Interior, lands withdrawn from the public domain primarily under the jurisdiction of the Secretary of the Interior, and lands acquired for national forest purposes.

(Pub. L. 87-852, § 4, Oct. 23, 1962, 76 Stat. 1129.)

#### REPEALS

*Section repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, upon, under, and through the public lands and lands in the National Forest System.*

#### SAVINGS PROVISION

Repeal by Pub. L. 94-579 insofar as applicable to the issuance of rights-of-way not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of Title 43, Public Lands.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 319, 319b of this title.

### CHAPTER 5—HOURS OF LABOR AND SAFETY ON PUBLIC WORKS

#### SUBCHAPTER I—GENERAL PROVISIONS

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321 to 326. Repealed or Omitted.

#### SUBCHAPTER II—CONTRACT WORK HOURS AND SAFETY STANDARDS

- 327. “Secretary” defined.
- 328. Forty hour week; overtime compensation; contractual conditions; liability of employers for violation; withholding funds to satisfy liabilities of employers.
- 329. Contracts subject to this subchapter; workers covered; exceptions.
  - (a) Contracts involving employment of laborers or mechanics.
  - (b) Exceptions.
  - (c) Inapplicability to small contracts.
- 330. Report of violations and withholding of funds for unpaid wages and liquidated damages.
  - (a) Reports of inspectors; determination of amount of unpaid wages and liquidated damages; authorization for direct payments by Comptroller General.
  - (b) Rights of action and intervention against contractors and sureties.

Sec.

- (c) Right of contractors to appeal; limitations; administrative determination; review by Secretary and issuance of final decision; filing claim in United States Court of Federal Claims.
- (d) Applicability of other laws.
- 331. Limitations, variations, tolerances, and exemptions.
- 332. Violations; penalties.
- 333. Health and safety standards in building trades and construction industry.
  - (a) Condition of contracts; proceedings for promulgation of regulations; hearing, consultation with Advisory Committee.
  - (b) Compliance with section and regulations: inspections, hearings, orders, findings of fact, and decisions; application of sections 38 and 39 of title 41; opportunity for hearing; consequences of noncompliance: cancellation of contracts, completion contracts, additional costs, and withholding of assistance; non-application of section 330 of this title.
  - (c) Jurisdiction; cause shown; enforcement of compliance.
  - (d) Finding of ineffective protection against violations; transmission of names of violators to Comptroller General; contract awards prohibition; termination of restriction and notification of Comptroller General and Government agencies; judicial review.
  - (e) Advisory Committee on Construction Safety and Health; establishment; membership; appointment; representation of interests; advice in formulation of standards, regulations, and policy matters; appointment of experts or consultants; compensation, travel expenses, etc.
  - (f) Safety programs; promotion; prevention of injuries through reports, data, and consultations with employers.
- 334. Contractor certification or contract clause in acquisition of commercial items.

#### SUBCHAPTER I—GENERAL PROVISIONS

### §§ 321, 322. Repealed. Pub. L. 87-581, title II, § 203, Aug. 13, 1962, 76 Stat. 360

Section 321, acts Aug. 1, 1892, ch. 352, § 1, 27 Stat. 340; Mar. 3, 1913, ch. 106, 37 Stat. 726, related to an eight-hour day on public works or dredging or rock excavation performed for the United States or the District of Columbia. See section 328 of this title.

Section 322, acts Aug. 1, 1892, ch. 352, § 2, 27 Stat. 340; Mar. 3, 1913, ch. 106, 37 Stat. 726, related to violation of these provisions and the penalties thereof. See section 332 of this title.

#### EFFECTIVE DATE OF REPEAL

Repeal effective 60 days after Aug. 13, 1962, but shall not affect contracts existing or thereafter entered into pursuant to invitations for bids outstanding on Aug. 13, 1962, see section 204 of Pub. L. 87-581, set out as an Effective Date note under section 327 of this title.

#### SAVINGS PROVISION

Section 203 of Pub. L. 87-581 provided in part that: “The provisions of such statutes [sections 321, 322, and 324 to 326 of this title] shall, notwithstanding, continue to apply with respect to contracts existing on the effec-